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A/R

U.S. District Court
U.S. District Court of Eastern Pennsylvania (Philadelphia)

CIVIL DOCKET FOR CASE #: 99-CV-5380

ISELEY v. BUSHEY, et al
Assigned to: JUDGE HARVEY BARTLE, III
Demand: \$0,000
Lead Docket: None
Dkt# in other court: None

Filed: 10/29/99

Nature of Suit: 555
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

CHARLES . ISELEY
PLAINTIFF

CHARLES . ISELEY
AM-9320
[COR LD NTC] [PRO SE]
SCI-MAHONY
301 MOREA ROAD
FRACKVILLE, PA 17932

v.

W. CONWAY BUSHEY
DEFENDANT

R. DOUGLASS SHERMAN
FAX 717-772-4526
[COR LD NTC]
DEPT. ATTY GENERAL, OFFICE OF
ATTORNEY GENERAL
STRAWBERRY SQ.
15TH FL.
HARRISBURG, PA 17120-0031
USA

JANE DOE
DEFENDANT

MIKE MOE
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

ROBERT MEYERS
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

TERRY . WHITMAN
DEFENDANT

R. DOUGLASS SHERMAN
(See above)

Docket as of March 28, 2000 10:54 am

Page 1

A TRUE COPY CERTIFIED TO FROM THE RECORD
DATED: 3-28-00
WITNESSE: Michele DuNapoli
DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STND
CLOSED A/R

[COR LD NTC]

GREGORY . GAERTNER
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

SAM MAZZOTTA
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

SARA CRAIG
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

CHARLES MITCHELL
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. TRESSLER
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. WAKEFIELD
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

MARTIN HORN
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

ROBERT BITNER
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

CAROL DOTTER
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

MARTIN DRAGOVICH
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

K. BREON

R. DOUGLASS SHERMAN

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-S~~END~~
CLOSED A/R

DEFENDANT	(See above) [COR LD NTC]
J. KEVIN KANE DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
. NOVOTNEY DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
K. DENNISON DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
THOMAS CHESNEY DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
MARVA CERULLO DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
RICHARD SPAIDE DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
ROBERT YARNELL DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
SALLY GENNARINI DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
JAMES UNELL DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]
JAMES CORBACIO DEFENDANT	R. DOUGLASS SHERMAN (See above) [COR LD NTC]

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STND
CLOSED A/R

THOMAS HORNUNG
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

BRENDA WILDENSTEIN
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. YOURON
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. EICHENBERG
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

FRYZEL
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. GAVIN
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. MAHALLY
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

FRED FOE
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. BIROSAK
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

HARRY HOE
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

. PEEK
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STNI
CLOSED A/R

MACKRETH
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

DROPINSKY
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

ABC CORP.
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

AAA CORP.
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

JASON GROW
DEFENDANT

R. DOUGLASS SHERMAN
(See above)
[COR LD NTC]

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STND
CLOSED A/R

10/29/99 1 Complaint. filing fee \$ 150 receipt # 715591 (aam)
[Entry date 10/29/99]

10/29/99 -- Summons(es) issued; 36 originals mailed to: Pro Se 10/29/99
(aam) [Entry date 10/29/99] [Edit date 10/29/99]

10/29/99 -- Standard Case Management Track. (aam) [Entry date 10/29/99]

11/2/99 2 Certificate of service by PLAINTIFF CHARLES ISELEY. (fdc)
[Entry date 11/02/99]

11/4/99 3 MOTION BY PLAINTIFF CHARLES ISELEY FOR U.S. MARSHAL TO
SERVE PROCESS OR DEFTS . (lvj) [Entry date 11/04/99]

11/30/99 4 MOTION BY PLAINTIFF CHARLES ISELEY FOR SERVICE BY THE
MARSHAL , BRIEF IN SUPPORT . (lvj) [Entry date 12/01/99]

12/2/99 5 ORDER THAT THE US MARSHAL SHALL EFFECT SERVICE IN THE ABOVE
CAPTIONED CASE WITHIN 60 DAYS. (SIGNED BY JUDGE HARVEY
BARTLE III) 12/2/99 ENTERED AND COPIES MAILED. (fdc)
[Entry date 12/02/99]

1/18/00 6 COMMONWEALTH DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO
RESPOND TO THE COMPLAINT, CERTIFICATE OF SERVICE. (fdc)
[Entry date 01/18/00]

1/19/00 7 ORDER THAT THE DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO THE COMPLAINT IS GRANTED. THE DEFENDANTS
SHALL FILE THEIR RESPONSE ON OR BEFORE 2/17/00. (SIGNED
BY JUDGE HARVEY BARTLE III) 1/20/00 ENTERED AND COPIES
MAILED. (fdc) [Entry date 01/20/00]

1/20/00 8 MOTION by PLAINTIFF CHARLES ISELEY FOR APPOINTMENT OF
COUNSEL , BRIEF (ph) [Entry date 01/20/00]

1/27/00 9 MEMORANDUM AND ORDER THAT PLFFS' MOTION FOR APPOINTMENT OF
COUNSEL IS DENIED. (SIGNED BY JUDGE HARVEY BARTLE III)
1/28/00 ENTERED AND COPIES MAILED. (lvj)
[Entry date 01/28/00]

2/2/00 10 MOTION BY PLAINTIFF CHARLES ISELEY FOR ENLARGEMENT OF
TIME, CERTIFICATE OF SERVICE. (fdc) [Entry date 02/02/00]

2/8/00 11 MOTION BY PLAINTIFF CHARLES . ISELEY FOR RECONSIDERATION
OF JANUARY 27, 2000 ORDER , BRIEF IN SUPPORT, CERTIFICATE
OF SERVICE. (lvj) [Entry date 02/08/00]

2/11/00 12 ORDER THAT PLFFS' MOTION FOR RECONSIDERATION OF JANUARY 27,
2000 ORDER IS DENIED. (SIGNED BY JUDGE HARVEY BARTLE III)
2/14/00 ENTERED AND COPIES MAILED. (lvj)
[Entry date 02/14/00]

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STND
CLOSED A/R

- 2/17/00 13 MOTION by DEFENDANT W. CONWAY BUSHEY, DEFENDANT JANE DOE, DEFENDANT MIKE MOE, DEFENDANT ROBERT MEYERS, DEFENDANT TERRY . WHITMAN, DEFENDANT GREGORY . GAERTNER, DEFENDANT SAM MAZZOTTA, DEFENDANT SARA CRAIG, DEFENDANT CHARLES MITCHELL, DEFENDANT . TRESSLER, DEFENDANT . WAKEFIELD, DEFENDANT MARTIN HORN, DEFENDANT ROBERT BITNER, DEFENDANT CAROL DOTTER, DEFENDANT MARTIN DRAGOVICH, DEFENDANT K. BREON, DEFENDANT J. KEVIN KANE, DEFENDANT . NOVOTNEY, DEFENDANT K. DENNISON, DEFENDANT THOMAS CHESNEY, DEFENDANT MARVA CERULLO, DEFENDANT RICHARD SPAIDE, DEFENDANT ROBERT YARNELL, DEFENDANT SALLY GENNARINI, DEFENDANT JAMES UNELL, DEFENDANT JAMES CORBACIO, DEFENDANT THOMAS HORNUNG, DEFENDANT BRENDA WILDENSTEIN, DEFENDANT . YOURON, DEFENDANT . EICHENBERG, DEFENDANT FRYZEL, DEFENDANT . GAVIN, DEFENDANT . MAHALLY, DEFENDANT FRED FOE, DEFENDANT . BIROSAK, DEFENDANT HARRY HOE, DEFENDANT . PEEK, DEFENDANT MACKRETH, DEFENDANT DROPINSKY, DEFENDANT ABC CORP., DEFENDANT AAA CORP., DEFENDANT JASON GROW TO DISMISS FOR IMPROPER VENUE, OR IN THE ALTERNATIVE TO TRANSFER TO A COURT WITH THE PROPER VENUE, CERTIFICATE OF SERVICE, BRIEF. (jl) [Entry date 02/18/00]
- 2/22/00 14 Brief by PLAINTIFF CHARLES . ISELEY in opposition to Defts' MOTION TO DISMISS FOR IMPROPER VENUE or in the alternative, to transfer to a court with proper venue , Certificate of Service. (lvj) [Entry date 02/22/00]
- 2/23/00 15 ~~ORDER THAT THE DEFENDANTS' MOTION TO DISMISS FOR IMPROPER VENUE IS DENIED; AND THEIR ALTERNATIVE MOTION TO TRANSFER TO THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PA. IS GRANTED. SIGNED BY JUDGE HARVEY BARTLE III)~~
2/23/00 ENTERED AND COPIES MAILED AND FAXED. (fdc) [Entry date 02/23/00]
- 3/14/00 -- Case closed (kv) [Entry date 03/14/00]
- 3/27/00 -- Original record together with certified copy of docket entries forwarded to Middle District of PA. (fdc) [Entry date 03/27/00]
- 3/27/00 16 U.S. Marshal return re: summons and complaint could not be served upon DEFENDANT SAM MAZZOTTA (no longer employed by Dept. of Corrections). (mld) [Entry date 03/28/00]
- 3/27/00 17 U.S. Marshal return re: served summons and complaint upon DEFENDANTS W. CONWAY BUSHEY, CAROL DOTTER; and upon Randy Sears (General Counsel) on behalf of DEFENDANTS MARTIN HORN, ROBERT BITNER; and upon Carol Potter (Admin. Asst.) on behalf of DEFENDANTS MARTIN DRAGOVICH, K. BREON, J. KEVIN KANE, NOVOTNEY, K. DENNISON, THOMAS CHESNEY, MARVA CERULLO, RICHARD SPAIDE, ROBERT YARNELL; by personal service on 12/28/99. (mld) [Entry date 03/28/00]

Proceedings include all events.
2:99cv5380 ISELEY v. BUSHEY, et al

f-STND
CLOSED A/R

3/27/00 18 U.S. Marshal return re: served summons and complaint upon Jeff Rackovan (Legal Rep) on behalf of DEFENDANTS GREGORY GAERTNER, TERRY WHITMAN, ROBERT MEYERS, SARA CRAIG, CHARLES MITCHELL, TRESSLER, WAKEFIELD, by personal service on 1/13/00. (mld) [Entry date 03/28/00]

3/27/00 19 U.S. Marshal return re: served summons and complaint upon Carol Dotter on behalf of DEFENDANTS SALLY GENNARINI, JAMES UNELL, JAMES CORBACIO, THOMAS HORNUNG, BRENDA WILDENSTEIN, YOURON, GAVIN, MAHALLY, BIROSAK, PEEK, DROPINSKY, JASON GROW, by personal service on 2/11/00. (mld) [Entry date 03/28/00]

3/27/00 20 U.S. Marshal return re: served summons and complaint upon Captain Tollis on behalf of DEFENDANT MACKRETH by personal service on 2/17/00. (mld) [Entry date 03/28/00]

3/27/00 21 U.S. Marshal return re: served summons and complaint upon Levi Hasband (Admin. Asst.) on behalf of DEFENDANT FRYZEL by personal service on 3/16/00. (mld) [Entry date 03/28/00]

3/28/00 -- Sent documents #16-21 to USDC for the Middle District of Pa with certified copy of docket entries. (mld) [Entry date 03/28/00]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
US COURTHOUSE
601 MARKET STREET
PHILADELPHIA PA 19106-1797

MICHAEL E. KUNZ
CLERK OF COURT

CLERK'S OFFICE
ROOM 2609
TELEPHONE
(215) 597-

March 28, 2000

U.S. District Court
Middle District of Pennsylvania
P.O. Box 1148
Scranton, PA 18501
Attn: Mary D'Andrea, Clerk of Court

00-577

RE: CHARLES ISELEY v. W. CONWAY BUSHEY, ET AL.
CA: #99-5380

Dear Clerk:

We herewith enclose document #'s 16 through 21 to supplement the original record which was sent out to your Court on 3/27/00. Also enclosed is a certified copy of the docket entries, in the above-captioned case which has been transferred to your District pursuant to this Court's order of 2/23/00.

Kindly acknowledge receipt on the copy of the letter provided.

Very truly yours,

MICHAEL E. KUNZ
Clerk of Court

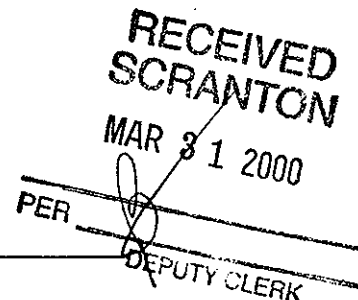
By: Michele DiNapoli
Michele DiNapoli, Deputy Clerk

cc: R. Douglass Sherman, Esq.
Charles Iseley

Received above material or record file this day of ,

Signature: _____

Date: _____



9
SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES ISELEY

CIVIL ACTION NO. 99-5380

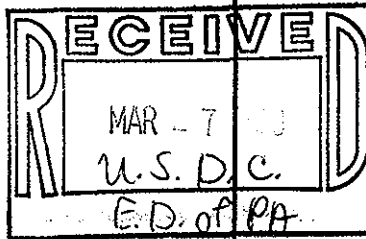
v.

TO: (NAME AND ADDRESS OF DEFENDANT)

Robert Meyers

W. CONWAY BUSHEY, ROBERT MEYERS, TERRY WHITMAN, GREGORY GAERTNER, SAM MAZZOTTA, SARA CRAIG, CHARLES MITCHELL, TRESSLER, WAKEFIELD, MARTIN HORN, ROBERT BITNER, CAROL DOTTER, MARTIN DRAGOVICH, K. BREON, J. KEVIN KANE, NOVOTNEY, K. DENNISON, THOMAS CHESNEY, MARVA CERULLO, RICHARD SPAIDE, ROBERT YARNELL, SALLY GENNARINI, JAMES UNELL, JAMES CORBACIO, THOMAS HORNING, BRENDA WILDENSTEIN, YOURON, EICHENBERG, FRYZEL, GAVIN, MAHALLY, BIROSAK, PEEK, MACKRETH, DROPINSKY, JASON GROW

PA DEPT of CORRECTION
P O BOX 598
CAMP HILL PA 17011



YOU ARE HEREBY SUMMONED and required to serve upon

Plaintiff's Attorney (Name and Address)

Charles Iseley, Pro Se
SCI-Mahony
301 Morea Road
Frackville, PA 17932

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Michael E. Kunz, Clerk of Court

Date: October 29, 1999

(By) Deputy Clerk

Adrienne Mann

ADRIENNE MANN

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		Date
Name of Server		Title
Check one box below to indicate appropriate method of service		
<p>Served personally upon the defendant. Place where served _____</p> <p>_____</p> <p>Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of person with whom the summons and complaint were left: _____</p> <p>_____</p> <p>Other (specify) _____</p> <p>_____</p> <p>_____</p>		
STATEMENT OF SERVICE FEES		
Travel	Services	Total
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">Date</div> <div style="text-align: center;">Signature of Server</div> </div> <div style="text-align: center; margin-top: 20px;">Address of Server</div>		

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.